

RESOLUTION NO. P.C. 170-91

APPROVING CONDITIONAL USE PERMIT NO. 63-91
OF EMPIRE GAS COMPANY TO DEVELOP A SITE
FOR RETAIL/WHOLESALE PROPANE GAS DISTRIBUTION

I. RECITALS:

- A. The Planning Commission of the City of The Dalles has, on this day, conducted a public hearing to consider the above request for use of property described as:
- Bargeway Road, east of Weber Road, described as Township 2 North, Range 13 East, Section 33D, Tax Lot 107.
- B. A staff report was presented, stating the findings of fact, conclusions of law, and a staff recommendation.
- C. Staff Report No. CUP 63-91 and the minutes of May 16, 1991, upon approval, provide the basis for this resolution and are herein attached by reference.

II. RESOLUTION: Now, therefore, be it FOUND, DETERMINED, and RESOLVED by the Planning Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part "I" of this resolution,
- B. Conditional Use Permit 63-91 is hereby approved with the following conditions:
1. Proposed plantings shall be at a density and height adequate to screen the storage area as viewed from any public way, or alternatively, slatting of the cyclone fence will be required.
 2. All unused portions of the site should be maintained with landscaping and gravel, as proposed.
 3. The storage of tanks and transfer of fuel shall be conducted in a manner that insures that noxious odors are not detectible along the property lines.
 4. Applicant shall sign a waiver of remonstrance to insure participation in a Local Improvement District process. Said waiver shall be filed on the deed with the Wasco County Clerk prior to issuance of a building permit.

5. Any future signs will require permitting by the Planning Division.

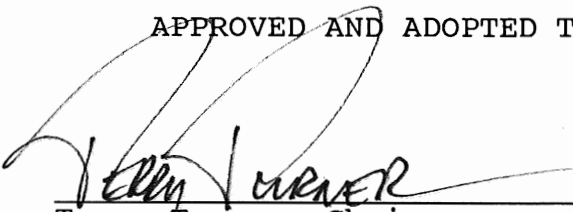
6. All requirements of the City Utilities and Fire Department shall be met. Applicant is responsible for coordinating reviews with City departments to insure that City standards are met.

III. APPEALS, COMPLIANCE, AND PENALTIES

- A. Any party of record may appeal a decision of the Planning Commission to the City Council for review. Appeals must be made according to Section 36 of the Zoning Ordinance, and must be filed with City Clerk with in ten (10) days of the date of resolution.
- B. Failure to exercise this approval within the time limits set either by resolution or by ordinance will invalidate this permit.
- C. All conditions of approval must be met within the time limits set by this resolution or by ordinance. Failure to meet any condition will prompt enforcement proceedings that can result in: 1) permit revocation; 2) fines of up to \$2,500 per day for the violation period and/or imprisonment in the County jail for a term not to exceed one (1) year.

The Secretary of the Commission shall (a) certify to the adoption of the Resolution; (b) forthwith transmit a copy of said Resolution to City Council of the City of The Dalles; (c) transmit a copy of the Resolution along with a stamped approved/denied site plan or plat to the applicant.

APPROVED AND ADOPTED THIS 16th DAY OF MAY, 1991.



Terry Turner, Chairman
Planning Commission

I, Scott Keillor, Secretary to the Planning Commission of the City of The Dalles, hereby certify that the foregoing Resolution was adopted at the regular meeting of the City Planning Commission, held on the 16th day of May, 1991.

AYES: Carol Cutler, Carri Ramsey, Rod Runyon, Ken Farner &
Walter Hoffman

NOES:

ABSENT: Steve Day & Terry Turner

ABSTAIN:

ATTEST: *Scott Keillon*
Secretary, Planning Commission